

(c) In the event a vacancy occurs in the office of Mayor or Commissioner, the Board of Commissioners shall ~~by majority vote~~ appoint some qualified person to fill the same ~~for the remainder of the unexpired term~~ in accordance with G.S. 160A-63.

(d) In the case of a conflict between this section and any other provision of this Charter, a Town ordinance, or other statute or common law, this section shall prevail to the extent of the conflict."

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 13th day of July, 2005.

Became law on the date it was ratified.

H.B. 288

Session Law 2005-189

AN ACT TO AMEND THE LAW CONCERNING WHAT THE DRIVER OF A MOTOR VEHICLE SHALL DO UPON APPROACH OF AN EMERGENCY VEHICLE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-157 reads as rewritten:

"§ 20-157. ~~Approach of police, law enforcement, fire department or rescue squad vehicles or ambulances; driving over fire hose or blocking fire-fighting equipment; parking, etc., near police, law enforcement, fire department, or rescue squad vehicle or ambulance.~~

(a) Upon the approach of any ~~police-law enforcement~~ or fire department vehicle or public or private ambulance or rescue squad emergency service vehicle giving warning signal by appropriate light and by audible bell, siren or exhaust whistle, audible under normal conditions from a distance not less than 1000 feet, the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb, clear of any intersection of streets or highways, and shall stop and remain in such position unless otherwise directed by a ~~police-law enforcement~~ or traffic officer until ~~police-law enforcement~~ or fire department vehicle or public or private ambulance or rescue squad emergency service vehicle shall have passed. Provided, however, this subsection shall not apply to vehicles traveling in the opposite direction of the vehicles herein enumerated when traveling on a four-lane limited access highway with a median divider dividing the highway for vehicles traveling in opposite directions, and provided further that the violation of this subsection shall ~~not~~ be negligence per se. Violation of this subsection is a Class 2 misdemeanor.

(b) It shall be unlawful for the driver of any vehicle other than one on official business to follow any fire apparatus traveling in response to a fire alarm closer than one block or to drive into or park such vehicle within one block where fire apparatus has stopped in answer to a fire alarm.

(c) Outside of the corporate limits of any city or town it shall be unlawful for the driver of any vehicle other than one on official business to follow any fire apparatus traveling in response to a fire alarm closer than 400 feet or to drive into or park such vehicle within a space of 400 feet from where fire apparatus has stopped in answer to a fire alarm.

(d) It shall be unlawful to drive a motor vehicle over a fire hose or any other equipment that is being used at a fire at any time, or to block a fire-fighting apparatus or any other equipment from its source of supply regardless of its distance from the fire.